

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FRANKLIN LOVING,

Plaintiff,

v.

SUPERINTENDENT ROBERT MORTON,
JOHN OR JANE DOE, M.D.,

Defendants.

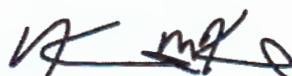
Civil No. 20-CV-11135 (KMK)

PROPOSED JUDGMENT

[PROPOSED] FINAL JUDGMENT AND ORDER OF DISMISSAL

It is hereby ORDERED, ADJUDGED, AND DECREED: That for the reasons stated in the Court's Opinion and Order dated July 27, 2022 (Dkt. 34), Defendants' Motion to Dismiss is granted. Because that was the first adjudication of Plaintiff's claims subject to Defendants' Motion to Dismiss, Plaintiff's constitutional and religious claims were dismissed without prejudice. As stated in the Court's Memo Endorsed Response dated January 23, 2023 (Dkt. 41), Plaintiff has chosen to not amend his complaint and instead seeks to appeal. Accordingly, Plaintiff's claims are dismissed with prejudice, judgment is entered for Defendants, and the case is closed.

Dated: January 26, 2023
White Plains, New York



KENNETH M. KARAS
United States District Judge